

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**OREGON ADVOCACY CENTER;
METROPOLITAN PUBLIC
DEFENDERS INCORPORATED; and A.J.
MADISON,**

Case No. 3:02-cv-00339-MO

ORDER OF MODIFICATION TO
INJUNCTION

Plaintiffs,

v.

PATRICK ALLEN, Director of the
Department of Human Services, in his official
capacity; and **DOLORES MATTEUCCI**,
Superintendent of the Oregon State Hospital,
in her official capacity,

Defendants.

MOSMAN, J.,

This matter comes before me on Plaintiffs' Motion for Permanent Injunction [ECF 215] and Defendants' Motion for a New Temporary Modification of Injunction [ECF 217]. I held oral argument on September 22, 2021 and made findings on the record. Accordingly, Defendants must:

1. Submit progress reports to the Court and to Plaintiffs every three weeks, beginning October 6, 2021. The reports must contain:
 - a. A list of the patients admitted since the last progress report, with names redacted for patient privacy, reflecting the county of origin and wait time for each patient

admitted since the order was entered, and the average wait time for all patients admitted since the previous report;

- b. A similarly redacted admissions list reflecting the GEI and Aid & Assist patients still waiting for admission, their county of origin, and the time they have been waiting;
 - c. A similarly redacted list of patients for whom any 9(b) notices were issued since the last report, including the total number of notices that have been issued for each patient as of the time of the report;
 - d. The percentage of patients and hospital staff who are fully vaccinated, the percentage of patients who were fully or partially vaccinated before their admission to the hospital, and information regarding any positive COVID-19 cases among either patient or hospital staff (with names redacted, as above, for personal health information privacy).
2. Submit weekly electronic reports to Plaintiffs' counsel every Friday, with the following information:
- a. The week's OSH Aid & Assist patient admissions list, including the names of patients waiting for admission to OSH that week, the court that issued each patient's order, the date of the order, the date when OSH received the order, and whether the charges include felonies or only misdemeanors;
 - b. A list of patients referred for expedited admission that week, and a list of those admitted on an expedited basis (noting the county); and
 - c. Whether OSH anticipates a pause in admissions in the next two weeks.

This Order will expire on December 3, 2021. The parties may modify this Order jointly.

IT IS SO ORDERED.

DATED this 22 day of September, 2021.

Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge